	Application No.	Applicant(s)
	10/723,684	BANKS ET AL.
Notice of Allowability	Examiner	Art Unit	
	John Chavis	2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *papers filed 3/7/07*.

2. ☒ The allowed claim(s) is/are *1-46*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

Examiner's Amendment

1.   An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

The application has been amended as follows for clarity due to the most recent

amendment and to circumvent potential 35 USC 101 related issues:

4. (Currently Amended) The method of claim 1, further comprising: [c] f)

determining a second portion of the first set of commands that cannot be

transformed into the second syntax.

5. (Currently Amended) The method of claim 1, further comprising: [d] g)

determining whether commands of the second portion need to be synchronized

to the Standby unit.

21. (Currently Amended) A computer program embodied in a machine-readable

medium A machine storage medium comprising a computer program, the

computer program comprising instructions for controlling at least one network

device to perform the following steps: a) dynamically determining a first set of

commands having a first syntax supported by a first image of an Active unit but

not supported by a second image of a Standby unit; and b) transforming at least

a first portion of the first set of commands into first transformed commands

having a second syntax supported by the second image on the Standby unit.

22. (Currently Amended) The ~~computer program~~ machine storage medium of

claim 21, wherein the second syntax is a lower-level syntax.

23. (Currently Amended) The ~~computer program~~ machine storage medium of

claim 21, wherein the transforming step is performed by the Active unit.

24. (Currently Amended) The ~~computer program~~ machine storage medium of

claim 21, further comprising instructions for controlling the at least one network

device to perform the following step: [c] f) determining a second portion of the

first set of commands that cannot be transformed into the second syntax.

25. (Currently Amended) The ~~computer program~~ machine storage medium of

claim 21, further comprising instructions for controlling the at least one network

device to perform the following step: [d] g) determining whether commands of the

second portion need to be synchronized to the Standby unit.

26. (Currently Amended) The ~~computer program~~ machine storage medium of

claim 21, wherein step b) is performed in multiple parts, each part involving a

transformation between successive transformation levels.

27. (Currently Amended) The ~~computer program~~ <u>machine storage medium</u> of claim 21, wherein step a) comprises: determining a second set of possible commands for the first image; determining a third set of possible commands for the second image; and comparing the second set to the third set to determine the first set.

28. (Currently Amended) ~~A computer program embodied in a machine-readable medium~~ <u>A machine storage medium comprising a computer program</u>, the computer program comprising instructions for controlling at least one network device to perform the following steps: a) dynamically determining a first set of commands having a first syntax supported by a first image of an Active unit and supported by a second image of a Standby unit; and b) transforming at least a first portion of the first set of commands into first transformed commands having a different syntax supported by the second image.

29. (Currently Amended) The ~~computer program~~ <u>machine storage medium</u> of claim 28, wherein the different syntax is a higher-level syntax.

30. (Currently Amended) The ~~computer program~~ <u>machine storage medium</u> of claim 28, wherein the transforming step is performed by the Standby unit.

31. (Currently Amended) The ~~computer program~~ <u>machine storage medium</u> of claim 28, wherein step b) is performed in multiple parts, each part involving a transformation between successive transformation levels.

32. (Currently Amended) An apparatus <u>comprising a processor</u> for maintaining configuration synchronization, the apparatus comprising: means for dynamically determining a first set of commands having a first syntax supported by a first image of an Active unit but not supported by a second image of a Standby unit; and means for transforming at least a first portion of the first set of commands into first transformed commands having a second syntax supported by the second image on the Standby unit.

37. (Currently Amended) An apparatus <u>comprising a processor</u> for maintaining configuration synchronization, the apparatus comprising: means for dynamically determining a first set of commands having a first syntax supported by a first image of an Active unit and supported by a second image of a Standby unit; and means for transforming at least a first portion of the first set of commands into first transformed commands having a different syntax supported by the second image.

40. The apparatus of claim 37, wherein ~~step b)~~ <u>the transforming of the command</u> is performed in multiple parts, each part involving a transformation between

successive transformation levels.

41. (Currently Amended) An apparatus comprising a processor for maintaining

configuration synchronization, the apparatus comprising: at least one Active unit

·having a first image stored thereon, the at least one Active unit being configured

to create a first list of commands supported by the first image; a Standby unit

having a second image stored thereon, the Standby unit being configured to:

create a second list of commands supported by the second image; determine an

Active diff list of commands on the first list but not on the second list; and

determine a Standby diff list of commands on the second list but not on the first

list.

Drawings

2.   The drawings submitted 3/7/07 have been approved by the examiner.

3.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to John Chavis whose telephone number is (571) 272-

3720. The examiner can normally be reached on M-F, 9:00am-5:30pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JC

John Chavis
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